

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 15cr1515 RB

CRYSTAL MEDINA-GOMEZ,

Defendant.


ORDER

This matter comes before the Court on Defendant Crystal Medina-Gomez's oral request for the Court to allow her to maintain her federal benefits despite a drug trafficking conviction. Having considered the relevant law, and being otherwise fully informed, the Court **GRANTS** Ms. Medina-Gomez's request.

At Ms. Medina-Gomez's sentencing hearing on March 29, 2017, her counsel, Mr. Carlos Ibarra, asked the Court to allow Ms. Medina-Gomez to remain eligible for her federal benefits, pursuant to 18 U.S.C. § 862(a)(1)(A), which gives the Court the discretion to deny drug traffickers federal benefits. The applicable subsection provides that "at the discretion of the court, upon the first conviction for such an offense [the offender may] be ineligible for any or all Federal benefits for up to 5 years after such a conviction." This is Ms. Medina-Gomez's first drug related offense and she was a minor participant in the overall conspiracy. Ms. Medina-Gomez has two older children, one of whom is disabled and relies on her for financial and

emotional support. Ms. Medina-Gomez also has a long, steady work history, and only stopped working when she was remanded into custody during her plea agreement. Given Ms. Medina-Gomez's lower-level involvement in the conspiracy, her steady work history, and her family's need, the Court will exercise its discretion to allow Ms. Medina-Gomez to continue to receive her federal benefits.

IT IS SO ORDERED.



ROBERT C. BRACK
UNITED STATES DISTRICT JUDGE